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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN WHITE, KIRK SCOTT, JIM
TROTTER, KEVIN WATT, ROBERT
SIEVERS, DAVE MORRIS, and BURRELL
WALLEN individually and on behalf of other
similarly situated,

Plaintiffs,

vs.

RAKHRA MUSHROOM FARM CORP., dba
OREGON TRAIL MUSHROOM, an Oregon
corporation; TREASURE VALLEY
MUSHROOM COMPANY, OREG. LTD., a
domestic limited partnership; BALJIT SINGH
NANDA, an individual.

Defendants.

NO. CV'08-0198-SU

ORDER PRELIMINARILY
APPROVING SETTLEMENT AND
FORM OF NOTICE

Plaintiffs having moved for preliminary approval of the proposed settlement and for approval of the form of notice to the class, and the Court being fully advised,

IT IS HEREBY ORDERED:

1. This action is certified as a class action and Steven White, Kirk Scott, Jim Trotter, Kevin Watt, Robert Sievers, Dave Morris, and Burrell Wallen are the representatives for the class. The class members are workers who worked for Rakhra Mushroom Farm Corp. between July 1, 2006 and December 7, 2007, and worked for more than 40 hours in at least one week and

held the position of maintenance worker, cooler attendant, packager, general cleanup worker, on site driver, weigher, pre-pack worker, or mix site employee.

2. Lynn S. Walsh is appointed as class counsel pursuant to Fed. R. Civ. P. 23(g).

3. Subject to consideration by the Court of any objections that may be received, the Court finds the settlement to be fair, reasonable and adequate, and in the best interests of the plaintiffs, and the Court hereby preliminarily approves the settlement under Fed. R. Civ. P. 23(e).

4. Within seven days after entry of this Order, plaintiffs' counsel shall provide notice to the class in substantially the same form as Exhibit B attached to the Motion for Preliminary Approval. The notice shall be sent by first-class mail to the last known address of the class member.

5. Any class member or his representative may appear at the hearing scheduled for the 19 day of May, 2010, at 11⁰⁰ AM in Courtroom _____, at the the United States Courthouse located at 104 Southwest Dorian, Pendleton, Oregon to show cause why the proposed settlement should not be approved as fair, reasonable, and adequate, or may submit a statement in writing. However, no person will be heard and no written statement considered unless the objection is made in writing and delivered to the Clerk of the Court no later than the 5 day of May, 2010.

6. Any class member who so requests will be excluded from the class. Requests for exclusion must be in writing and received by the Clerk of the Court no later than the 26th _____ day of July, 2010.

DATED: February 19, 2010

Patricia Sullivan
Patricia Sullivan
United States Magistrate Judge

